

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

ORDER

In Re:

NEIL TRAN

Debtor.

Case No.: 10-46949-cec
(Chapter 7)

Assigned to:
Hon. CARLA E. CRAIG
Bankruptcy Judge

Bank of America, N.A., a secured creditor of Debtor, ("Secured Creditor") having moved this Court for an Order modifying the Automatic Stay in this proceeding by permitting said Secured Creditor to foreclose on the mortgage of premises commonly known as 10803 Seaview Avenue 44A, Brooklyn, NY 11236, of which the Debtor is the owner of record, and

The motion having come to be heard before this Court and no opposition having been submitted by Robert J. Musso, Esq., the Chapter 7 Trustee, by the U.S. Trustee, or by Richard S Feinsilver, Esq., counsel for the Debtor, and due deliberation having been had, now

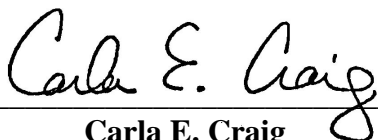
Upon Reading and Filing of the Notice of Motion, the Application of Secured Creditor dated September 28, 2010, and proof of service upon all necessary parties, upon motion of the Office of Steven J. Baum, P.C., it is hereby

ORDERED, that as to the Secured Creditor or its successors or assigns, the automatic stay is terminated as to its interest in real property commonly known as 10803 Seaview Avenue 44A, Brooklyn, NY 11236, thereby permitting it to pursue the remedies available to it under the terms of the relevant Note and Mortgage and applicable state and federal laws; and it is further

ORDERED, that the Trustee retain any and all interest that said Trustee may have in any surplus monies that may be produced from a foreclosure sale of the property, and will be noticed of any such sale of the property and surplus money proceedings.

**Dated: Brooklyn, New York
October 29, 2010**





Carla E. Craig
United States Bankruptcy Judge